



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

HUFFMAN LAW GROUP, P.C.
1900 MESA AVE.
COLORADO SPRINGS CO 80906

COPY MAILED

APR 25 2007

OFFICE OF PETITIONS

In re Patent No. 7,032,226	:
Issue Date: April 18, 2006	:
Application No. 09/608,750	: DECISION ON PETITION
Filed: June 30, 2000	: UNDER 37 CFR 1.182 AND REQUEST
Attorney Docket No. MIPS.0169-00-US	: FOR CERTIFICATE OF CORRECTION

This is a decision on the petition under 37 CFR 1.182, filed August 23, 2006, seeking to add a claim for priority to nonprovisional Application No. 09/602,279, filed June 23, 2000, by way of a certificate of correction.

Petitioners filed Application No. 09/608,750 on June 30, 2000, which issued as Patent No. 7,032,226 on April 18, 2006. A claim for priority was submitted on filing; however, the claim failed to provide the application number of the prior application. On October 22, 2003, and March 10, 2004, petitioners submitted amendments requesting the entry of the claim for priority to Application No. 09/602,279. The examiner failed to acknowledge either amendment.

Pursuant to 37 CFR 1.78(a)(2)(iii), a reference to a prior-filed nonprovisional application must be submitted in an application data sheet or in the first sentence of the specification after the title. In this instance, petitioners failed to include the reference to nonprovisional Application No. 09/602,279 in the first sentence following the title in the specification in accordance with 37 CFR 1.78(a)(2)(iii). Rather, petitioners included the reference under the cross-reference section of the specification. The Office further notes that the amendment submitted by petitioners during the pendency of the application only amended the contents of the sentence, but not the location.

As petitioners are not entitled to entry of the priority data, no certificate of correction will be issued. Accordingly, the petition is **dismissed**.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By fax: (571) 273-8300
 ATTN: Office of Petitions

Any questions concerning this matter may be directed to Charlema R. Grant at (571) 272-3215.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Examiner
Office of Petitions